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## CERTIFICATE OF TRANSMISSION

Our file: 55568.07/ejg  
Invention: Composition For And Method Of Treatment  
Of Skin Ailments  
Filing Date: March 11, 2005  
Application No.: 10/502,231  
Inventor: Mariana De Oliveira  
Country: United States  
Examiner: Amy Lynn Clark  
Art Unit: 1655  
Due Date: May 24, 2006  
Subject: response to Office Action dated April 24, 2006 prepared by Eugene  
J.A. Gierczak (totalling 16 pages including this certificate page)

I hereby certify that this correspondence is being facsimile transmitted to the Patent and  
Trademark Office Fax No.571.273.8300 on May 23, 2006.

Debbie Oates

Printed name of person signing this certificate



Signature

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International Division

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MAY 23 2006

**IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE**

May 23, 2006

Re: **Our File:** 55568.07/ejg  
**Invention:** Composition For And Method of Treatment  
Of Skin Ailments  
**Application No.:** 10/502,321  
**Filed:** March 11, 2005  
**Country:** United States  
**Inventor:** Mariana De Oliveira  
**Examiner:** Amy Lynn Clark  
**Art Unit:** 1655  
**Due Date:** May 24, 2006

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Dear Sir/Madams:

Agent for Applicant acknowledges receipt of Office Action dated April 24, 2006 and  
responds as follows:

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**ELECTION/RESTRICTION**

Examiner stated that restriction is required 35 U.S.C. 121 and 372 as particularized in the Office Action.

Agent for Applicant requests **prosecution of Group 1** and requests amendment of claims 1-6 as outlined below.

**Claim Amendments**

1. [Presently Amended] A composition for use in treating skin ailments treatments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising: active agents and a carrier mixture, wherein said active agents are herbal extracts, in a therapeutic effective dose, wherein said herbal extract is selected from the group consisting of mallow extract, rosemary extract and eucalyptus extract and said active agent mixes with carrier mixture for administration of said composition.

2. [Presently Amended] A composition as claimed in claim 1, ~~for treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex,~~ consisting of the following ingredients in the following percentage range by weight:

- (a) Water in the range of 40.19 - 49.12
- (b) Sodium laureth sulphate in the range of 31.5 - 38.5
- (c) Cocamide DEA in the range of 4.5 - 5.5
- (d) Cocamidopropyl betaine in the range of 0.9 - 1.1
- (e) Proylene glycol in the range of 0.27 - 0.33

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- (f) Citric acid in the range of 0.27 - 0.33
- (g) Coal tar topical solution in the range of 5.4 - 6.6
- (h) Sodium chloride in the range of 1.8 - 2.2
- (i) Sodium lauryl sarcosinate in the range of 1.8 - 2.2
- (j) Wheat germ oil in the range of 0.45 - 0.55
- (k) Proteins (blends) in the range of 0.18 - 0.22
- (l) Methylchloroisothiazolinone in the range of 0.045 - 0.045
- (m) Mallow extract in the range of 0.9 - 1.1
- (n) Rosemary oil in the range of 0.45 - .55
- (o) Eucalyptus oil in the range of 0.45 - .55
- (p) Carbomer in the range of 0.9 - 1.1.

3. [Presently Amended] A composition as claimed in claim 1 for treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athlete's foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex consisting of the following ingredients in the following percentage range by weight:

- (a) Water in the range of 21.573 - 26.367
- (b) Alcohol in the range of 63 - 77
- (c) Sodium iodide in the range of 2.7 - 3.3
- (d) Potassium iodide in the range of 1.35 - 1.65
- (e) Sodium thiosulphate in the range of 0.027 - 0.033

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- (f) Mallow extract in the range of 0.9 - 1.1
- (g) Rosemary oil in the range of 0.225 - 0.27
- (h) Eucalyptus oil in the range of 0.225 - 0.27.

4. [Presently Amended] A composition as claimed in claim 1 ~~for treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athlete's foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex~~ consist ng of the following ingredients in the following percentage range by weight:

- (a) Water in the range of 47.0205 - 57.4695
- (b) Propylene glycol in the range of 3.6 - 4.4
- (c) Mineral oil in the range of 2.7 - 3.3
- (d) Cetyl alcohol in the range of 3.6 - 4.4
- (e) Stearic acid in the range of 3.6 - 4.4
- (f) Glycerol monostearate in the range of 2.7 - 3.3
- (g) F D and C Yellow #5 solution in the range of 0.045 - 0.055
- (h) D and C red #33 solution in the range of 0.0045 - 0.055
- (i) Chamomile extract in the range of 0.9 - 1.1
- (j) Carbomer in the range of 3.6 - 4.4
- (k) Methyl paraben in the range of 0.225 - 0.275
- (l) Propyl paraben in the range of 0.09 - 0.11
- (m) Triethanolamine in the range of 0.54 - 0.66

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- (n) Milk amino acids in the range of 2.25 - 2.75
- (o) Tea tree solution in the range of 2.7 - 3.3
- (p) Mallow extract in the range of 0.9 - 1.1
- (q) Coal tar topical solution in the range of 5.175 - 6.325
- (r) Dimethicone in the range of 0.45 - 0.55
- (s) Glycerine in the range of 2.7 - 3.3
- (t) Petrolatum in the range of 0.9 - 1.1
- (u) Cetearyl alcohol in the range of 2.25 - 2.75
- (v) Ceteareth 20 in the range of 2.25 - 2.75
- (w) Polysorbate 20 in the range of 1.8 - 2.2.

5. [Presently Amended] A pharmaceutical composition as claimed in claim 1 for use in the treatment of skin ailments selected from the group consisting of ~~bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising a skin ailment treatment agent~~ consisting of at least 5% herbal extracts in an effective skin ailment treatment percentage mixed with a carrier mixture for topical administration to a human.

6. [Presently Amended] A pharmaceutical composition as claimed in claim 1 for use in the treatment of skin ailments ~~as claimed in claim 5~~ wherein said herbal extract is least one percent mallow extract.

7. [Withdrawn] A system for use in skin ailment treatments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips,

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cuts and scrapes and herpes simplex, comprising a body wash composition, a spray composition and a cream composition, wherein said body wash composition, said spray composition and said cream composition further comprises an active agent and carrier mixture, wherein said active agents are herbal extracts in a therapeutic effective doses, and said active agents mixes with said carrier mixture for administration of said body wash composition, said spray composition and said cream composition.

8. [Withdrawn] A system for use in skin ailment treatments as claimed in claim 7 wherein said body wash composition consisting of the following ingredients in the following range of proportions based on weight:

- (a) Water in the range of 40.19 - 49.12
- (b) Sodium laureth sulphate in the range of 31.5 - 38.5
- (c) Cocamide DEA in the range of 4.5 - 5.5
- (d) Cocamidopropyl betaine in the range of 0.9 - 1.1
- (e) Propylene glycol in the range of 0.27 - 0.33
- (f) Citric acid in the range of 0.27 - 0.33
- (g) Coal tar topical solution in the range of 5.4 - 6.6
- (h) Sodium chloride in the range of 1.8 - 2.2
- (i) Sodium lauroyl sarcosinate in the range of 1.8 - 2.2
- (j) Wheat germ oil in the range of 0.45 - 0.55
- (k) Proteins (blends) in the range of 0.18 - 0.22
- (l) Methylchloroisothiazolinone in the range of 0.045 - 0.045
- (m) Mallow extract in the range of 0.9 - 1.1
- (n) Rosemary oil in the range of 0.45 - .55

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- (o) Eucalyptus oil in the range of 0.45 - .55
  - (p) Carbomer in the range of 0.9 - 1.1.
9. [Withdrawn] A system for use in skin ailment treatments as claimed in claim 7 wherein said spray composition consisting of the following ingredients in the following range of proportions based on weight:
- (a) Water in the range of 21.573 - 26.367
  - (b) Alcohol in the range of 63 - 77
  - (c) Sodium iodide in the range of 2.7 - 3.3
  - (d) Potassium iodide in the range of 1.35 - 1.65
  - (e) Sodium thiosulphate in the range of 0.027 - 0.033
  - (f) Mallow extract in the range of 0.9 - 1.1
  - (g) Rosemary oil in the range of 0.225 - 0.27
  - (h) Eucalyptus oil in the range of 0.225 - 0.27.
10. [Withdrawn] A system for use in skin ailment treatments as claimed in claim 7 wherein said cream composition consisting of the following ingredients in the following range of proportions:
- (a) Water in the range of 47.0205 - 57.4695
  - (b) Propylene glycol in the range of 3.6 - 4.4
  - (c) Mineral oil in the range of 2.7 - 3.3
  - (d) Cetyl alcohol in the range of 3.6 - 4.4
  - (e) Stearic acid in the range of 3.6 - 4.4
  - (f) Glycerol monostearate in the range of 2.7 - 3.3

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- (g) F D and C Yellow #5 solution in the range of 0.045 - 0.055
- (h) D and C red #33 solution in the range of 0.0045 - 0.055
- (i) Chamomile extract in the range of 0.9 - 1.1
- (j) Carbomer in the range of 3.6 - 4.4
- (k) Methyl paraben in the range of 0.225 - 0.275
- (l) Propyl paraben in the range of 0.09 - 0.11
- (m) Triethanolamine in the range of 0.54 - 0.66
- (n) Milk amino acids in the range of 2.25 - 2.75
- (o) Tea tree solution in the range of 2.7 - 3.3
- (p) Mallow extract in the range of 0.9 - 1.1
- (q) Coal tar topical solution in the range of 5.175 - 6.325
- (r) Dimethicone in the range of 0.45 - 0.55
- (s) Glycerine in the range of 2.7 - 3.3
- (t) Petrolatum in the range of 0.9 - 1.1
- (u) Cetearyl alcohol in the range of 2.25 - 2.75
- (v) Cetareth 20 in the range of 2.25 - 2.75
- (w) Polysorbate 20 in the range of 1.8 - 2.2.

11. [Withdrawn] A method of treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itch scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising topically administering to a human having said

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skin ailment at least 1% herbal extracts, said herbal extracts being present in a topically acceptable pharmaceutical body wash composition.

12. [Withdrawn] A method as claimed in claim 11 wherein said topically acceptable pharmaceutical body wash composition consisting of the following ingredients in the following range of proportions:

- (a) Water in the range of 40.19 - 49.12
- (b) Sodium laureth sulphate in the range of 31.5 - 38.5
- (c) Cocamide DEA in the range of 4.5 - 5.5
- (d) Cocamidopropyl betaine in the range of 0.9 - 1.1
- (e) Proylene glycol in the range of 0.27 - 0.33
- (f) Citric acid in the range of 0.27 - 0.33
- (g) Coal tar topical solution in the range of 5.4 - 6.6
- (h) Sodium chloride in the range of 1.8 - 2.2
- (i) Sodium lauroyl sarcosinate in the range of 1.8 - 2.2
- (j) Wheat germ oil in the range of 0.45 - 0.55
- (k) Proteins (blends) in the range of 0.18 - 0.22
- (l) Methylchloroisothiazolinone in the range of 0.045 - 0.045
- (m) Mallow extract in the range of 0.9 - 1.1
- (n) Rosemary oil in the range of 0.45 - .55
- (o) Eucalyptus oil in the range of 0.45 - .55
- (p) Carbomer in the range of 0.9 - 1.1.

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13. [Withdrawn] A method treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising topically administering to a human having said skin ailment, at least 1% herbal extracts, said herbal extracts being present in a topically acceptable pharmaceutical spray composition.

14. [Withdrawn] A method of treating skin ailments as claimed in claim 13 wherein said topically acceptable pharmaceutical spray composition consisting of the following ingredients in the following range of proportions:

- (a) Water in the range of 21.573 - 26.367
- (b) Alcohol in the range of 63 - 77
- (c) Sodium Iodide in the range of 2.7 - 3.3
- (d) Potassium iodide in the range of 1.35 - 1.65
- (e) Sodium thiosulphate in the range of 0.027 - 0.033
- (f) Mallow extract in the range of 0.9 - 1.1
- (g) Rosemary oil in the range of 0.225 - 0.27
- (h) Eucalyptus oil in the range of 0.225 - 0.27.

15. [Withdrawn] A method of treating skin ailments selected from the group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itchy scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising topically administering to a human having said skin ailment at least 1% herbal extracts, said herbal extracts being present in a topically acceptable pharmaceutical cream composition.

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16. [Withdrawn] A method of treating skin ailments as claimed in claim 15 wherein said topically acceptable pharmaceutical cream composition consisting of the following ingredients in the following range of proportions:

- (a) Water in the range of 47.0205 - 57.4695
- (b) Propylene glycol in the range of 3.6 - 4.4
- (c) Mineral oil in the range of 2.7 - 3.3
- (d) Cetyl alcohol in the range of 3.6 - 4.4
- (e) Stearic acid in the range of 3.6 - 4.4
- (f) Glycerol monostearate in the range of 2.7 - 3.3
- (g) F D and C Yellow #5 solution in the range of 0.045 - 0.055
- (h) D and C red #33 solution in the range of 0.0045 - 0.055
- (i) Chamomile extract in the range of 0.9 - 1.1
- (j) Carbomer in the range of 3.6 - 4.4
- (k) Methyl paraben in the range of 0.225 - 0.275
- (l) Propyl paraben in the range of 0.09 - 0.11
- (m) Triethanolamine in the range of 0.54 - 0.66
- (n) Milk amino acids in the range of 2.25 - 2.75
- (o) Tea tree solution in the range of 2.7 - 3.3
- (p) Mallow extract in the range of 0.9 - 1.1
- (q) Coal tar topical solution in the range of 5.175 - 6.325
- (r) Dimethicone in the range of 0.45 - 0.55

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- (s) Glycerine in the range of 2.7 - 3.3
- (t) Petrolatum in the range of 0.9 - 1.1
- (u) Cetearyl alcohol in the range of 2.25 - 2.75
- (v) Cetareth 20 in the range of 2.25 - 2.75
- (w) Polysorbate 20 in the range of 1.8 - 2.2.

17. [Withdrawn] A method for treating skin ailments selected from a group consisting of bruises, scars, cold sores, eczema, rosacea, shingles, muscular joints and aches, moles, acne, rashes, insect bites, psoriasis, dry itch scaly skin, skin discoloration, blisters, burns, bee stings, athletes foot, boils, chapped hands and lips, cuts and scrapes and herpes simplex, comprising topically administering to a human having said skin ailments at least 1% herbal extracts, said herbal extracts being present in a topically acceptable pharmaceutical body wash composition, spray composition and cream composition.

18. [Withdrawn] A method for treating skin ailments as claimed in claim 17 wherein said body wash composition consisting of the following ingredients in the following range of proportions:

- (a) Water in the range of 40.19 - 49.12
- (b) Sodium laureth sulphate in the range of 31.5 - 38.5
- (c) Cocamide DEA in the range of 4.5 - 5.5
- (d) Cocamidopropyl betaine in the range of 0.9 - 1.1
- (e) Proylene glycol in the range of 0.27 - 0.33
- (f) Citric acid in the range of 0.27 - 0.33
- (g) Coal tar topical solution in the range of 5.4 - 6.6
- (h) Sodium chloride in the range of 1.8 - 2.2

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- (i) Sodium lauroyl sarcosinate in the range of 1.8 - 2.2
- (j) Wheat germ oil in the range of 0.45 - 0.55
- (k) Proteins (blends) in the range of 0.18 - 0.22
- (l) Methylchloroisothiazolinone in the range of 0.045 - 0.045
- (m) Mallow extract in the range of 0.9 - 1.1
- (n) Rosemary oil in the range of 0.45 - .55
- (o) Eucalyptus oil in the range of 0.45 - .55
- (p) Carbomer in the range of 0.9 - 1.1.

19. [Withdrawn] A method for treating skin ailments as claimed in claim 18 wherein said spray composition consisting of the following ingredients in the following range of proportions:

- (a) Water in the range of 21.573 - 26.367
- (b) Alcohol in the range of 63 - 77
- (c) Sodium iodide in the range of 2.7 - 3.3
- (d) Potassium iodide in the range of 1.35 - 1.65
- (e) Sodium thiosulphate in the range of 0.027 - 0.033
- (f) Mallow extract in the range of 0.9 - 1.1
- (g) Rosemary oil in the range of 0.225 - 0.27
- (h) Eucalyptus oil in the range of 0.225 - 0.27.

20. [Withdrawn] A method of treating skin ailments as claimed in claim 19, wherein said cream composition consisting of the following ingredients in the following range of proportions:

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- (a) Water in the range of 47.0205 - 57.4695
- (b) Propylene glycol in the range of 3.6 - 4.4
- (c) Mineral oil in the range of 2.7 - 3.3
- (d) Cetyl alcohol in the range of 3.6 - 4.4
- (e) Stearic acid in the range of 3.6 - 4.4
- (f) Glycerol monostearate in the range of 2.7 - 3.3
- (g) F D and C Yellow #5 solution in the range of 0.045 - 0.055
- (h) D and C red #33 solution in the range of 0.0045 - 0.055
- (i) Chamomile extract in the range of 0.9 - 1.1
- (j) Carbomer in the range of 3.6 - 4.4
- (k) Methyl paraben in the range of 0.225 - 0.275
- (l) Propyl paraben in the range of 0.09 - 0.11
- (m) Triethanolamine in the range of 0.54 - 0.66
- (n) Milk amino acids in the range of 2.25 - 2.75
- (o) Tea tree solution in the range of 2.7 - 3.3
- (p) Mallow extract in the range of 0.9 - 1.1
- (q) Coal tar topical solution in the range of 5.175 - 6.325
- (r) Dimethicone in the range of 0.45 - 0.55
- (s) Glycerine in the range of 2.7 - 3.3
- (t) Petrolatum in the range of 0.9 - 1.1

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- (u) Cetearyl alcohol in the range of 2.25 - 2.75
- (v) Cetareth 20 in the range of 2.25 - 2.75
- (w) Polysorbate 20 in the range of 1.8 - 2.2.

Kindly **withdrawn claims 7-20** without prejudice of filing a divisional application for same at a future date. Kindly note that claims 2, 3, 4, 5 and 6 have been amended to depend from claim 1.

### **CONCLUSIONS**

Accordingly Agent for Applicant respectfully states that the claims are in condition to be prosecuted.

Agent for Applicant awaits further correspondence from Examiner in due course.

Yours faithfully,



Agent for Applicant  
Eugene J.A. Gierczak  
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cc: M. DeOliveira

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